



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,185	10/20/2003	Hung-Chi Tsai	1496-942	6865
7590 01/25/2006				
John S. Egbert Harrison & Egbert 412 Main Street, 7th Floor Houston, TX 77002			EXAMINER	
			COMAS, YAHVEH	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claim 2 have been considered but are moot in view of the new ground of rejection.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the annular slot must be shown or the feature canceled from the claim. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

The amendment filed on 11/10/2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: There is no written description in such full, clear, concise, and exact terms as to enable any person skilled in the of any annular slot or an inner wall having a series of pole teeth formed thereon and facing toward said annular slot.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 2 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. There is no written description in such full, clear, concise, and exact terms as to enable any person skilled in the of an annular slot and an inner wall having a series of pole teeth formed thereon and facing toward said annular slot.

The Examiner cannot readily ascertain/map with the above claim language where in the specification as originally filed a disclosure/support is found in the

descriptive portion of the specification by reference to the drawings, designating the part or parts therein to which the terms " annular slot and an inner wall having a series of pole teeth formed thereon and facing toward said annular slot " applies.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hong et al. U.S. 2002/0125842 in view of Inariba U.S. Patent No. 4,695,419.

Hong disclose a direct current brushless vibration motor (100) comprising a housing, (191), a stator (110) mounted in said housing (191) and provided with a rotor mounting slot which is provided in an inner wall with a series of pole teeth (115), said pole teeth being arranged at an interval; and a rotor (110) comprising a magnetic

Art Unit: 2834

cylindrical body (129), a rotary disk support (124) disposed in a hollow interior of said magnetic cylindrical body (129), and a rotary shaft (122) mounted in a center of said rotary disk support, said magnetic cylindrical body being provided in an outer side with a series of rotor pole pairs, each having north and south magnetic poles, said rotor being mounted in said rotor mounting slot of said stator, wherein said rotary disk support (124) of said rotor is provided with a plurality of weight through holes (124c) whereby said weight through holes are distributed unevenly to cause said rotor to engage in an unbalanced vibratory rotation.

Hong disclose the claimed invention except for the stator having a annular slot formed centrally therein with an inner wall entirely surrounding said annular slot, said inner wall having a series of pole teeth formed thereon and facing toward said annular slot. However Inariba disclose a stator having a annular slot formed centrally therein with an inner wall (37) entirely surrounding said annular slot, said inner wall (37) having a series of pole teeth formed thereon and facing toward said annular slot (for example see fig. 6) in order to enable the spacing between the rotor and stator to be small and uniform, leading to increase in efficiency of the electric motor.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



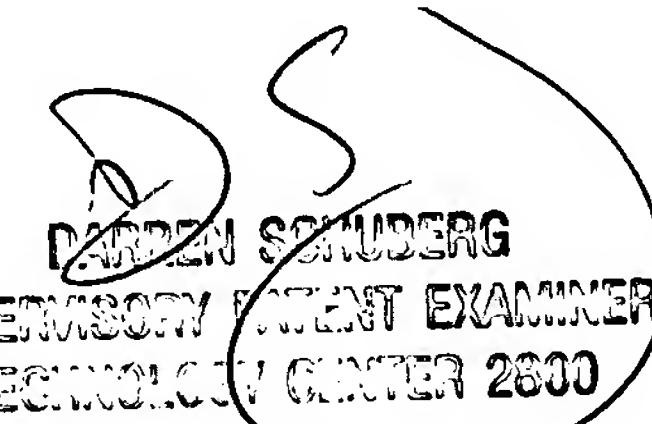
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571) 272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YC

  
DARREN SCHUBERG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800